

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ORLANDO DESTEFANO	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
	:	NO. 11-6715
THE CITY OF PHILADELPHIA	:	
	:	
Defendant.	:	

**ORDER**

**AND NOW**, this 3<sup>rd</sup> day of October, 2013, upon consideration of the Defendant's Motion for Summary Judgment, Plaintiff's Response in Opposition, Plaintiff's Motion for Summary Judgment, and Defendant's Response in Opposition, it is hereby **ORDERED** that Defendant's Motion to for Summary Judgment is **DENIED** and Plaintiff's Motion for Summary Judgment is **DENIED**.

It is so **ORDERED**.

BY THE COURT:

*s/ Ronald L. Buckwalter*  
RONALD L. BUCKWALTER, S.J.